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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,151	10/16/2001	Xiaojia Guo	21402-168 (CURA-468)	6181

7590 07/13/2005

Jenell Lawson  
Intellectual Property  
CuraGen Corporation  
555 Long Wharf Drive  
New Haven, CT 06551

EXAMINER

MARTINELL, JAMES

ART UNIT	PAPER NUMBER
1634	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20050711

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Attachments:

Office Letter

RAW SEQUENCE LISTING ERROR REPORT April 25, 2005.

James Martinell  
Primary Examiner  
Art Unit: 1634

5:00

Art Unit: 1634

The reply filed on April 21, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The Sequence Listing does not comply with the Sequence Rules (37 CFR §§ 1.821-1.825). See the attached "RAW SEQUENCE LISTING ERROR REPORT" dated April 25, 2005. In addition, the listing of inventors on the Sequence Listing submitted April 21, 2005 is incorrect. See the petition to correct inventorship filed August 14, 2003 and the Office action mailed December 4, 2003. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Martinell whose telephone number is (571) 272-0719.

The examiner works a flexible schedule and can be reached by phone and voice mail. Alternatively, a request for a return telephone call may be e-mailed to [james.martinell@uspto.gov](mailto:james.martinell@uspto.gov). Since e-mail communications may not be secure, it is suggested that information in such requests be limited to name, phone number, and the best time to return the call.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones, can be reached on (571) 272-0745.

Art Unit: 1634


**OFFICIAL FAX NUMBER**

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any Official Communication to the USPTO should be faxed to this number.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

  
**James Martinell, Ph.D.**  
**Primary Examiner**  
**Art Unit 1634**

7/11/05

## **STIC Biotechnology Systems Branch**

### **RAW SEQUENCE LISTING** **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/98/151C  
Source: FW16  
Date Processed by STIC: 4/25/05

**THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.**

**PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:**

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,**
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY**

**FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221**

**TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:**

**<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>**

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)**
- 2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**
- 3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street.  
Alexandria, VA 22314**

Revised 01/24/05



IFW16

## RAW SEQUENCE LISTING

DATE: 04/25/2005

PATENT APPLICATION: US/09/981,151C

TIME: 11:16:54

Input Set : D:\Cura 468 Sequence Listing \Cura 468 SEQ list 0405.txt

Output Set: N:\CRF4\04252005\I981151C.raw

3 <110> APPLICANT: Edinger, Shlomit R  
 4 Gerlach, Valerie  
 5 MacDougall, John R  
 6 Malyankar, Muriel M  
 7 Smithson, Glennnda  
 8 Millet, Isabelle  
 9 Peyman, John A  
 10 Stone, David J  
 11 Gunther, Erik  
 12 Ellerman, Karen  
 13 Shimkets, Richard A  
 14 Padigar, Muralidhara  
 15 Guo, Xiaojia  
 16 Patturajan, Meera  
 17 Taupier Jr, Raymond J  
 18 Burgess, Catherine E  
 19 Zerhusen, Bryan D  
 20 Kekuda, Ramesh  
 21 Spytek, Kimberly A  
 22 Gangolli, Esha A  
 23 Fernandes, Elma R  
 24 Gorman, Linda  
 26 <120> TITLE OF INVENTION: Proteins and Nucleic Acids Encoding Same  
 28 <130> FILE REFERENCE: 21402-168  
 30 <140> CURRENT APPLICATION NUMBER: 09/981,151C  
 31 <141> CURRENT FILING DATE: 2001-10-16  
 33 <150> PRIOR APPLICATION NUMBER: 60/241,040  
 34 <151> PRIOR FILING DATE: 2000-10-17  
 36 <150> PRIOR APPLICATION NUMBER: 60/241,058  
 37 <151> PRIOR FILING DATE: 2000-10-17  
 39 <150> PRIOR APPLICATION NUMBER: 60/241,063  
 40 <151> PRIOR FILING DATE: 2000-10-17  
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 45 <150> PRIOR APPLICATION NUMBER: 60/242,152  
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 48 <150> PRIOR APPLICATION NUMBER: 60/242,482  
 49 <151> PRIOR FILING DATE: 2000-10-23  
 51 <150> PRIOR APPLICATION NUMBER: 60/242,611  
 52 <151> PRIOR FILING DATE: 2000-10-23  
 54 <150> PRIOR APPLICATION NUMBER: 60/242,612  
 55 <151> PRIOR FILING DATE: 2000-10-23  
 57 <150> PRIOR APPLICATION NUMBER: 60/242,880

**Does Not Comply**  
**Corrected Diskette Needed**

## RAW SEQUENCE LISTING

DATE: 04/25/2005


PATENT APPLICATION: US/09/981,151C

TIME: 11:16:54

Input Set : D:\Cura 468 Sequence Listing \Cura 468 SEQ list 0405.txt

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64 <151> PRIOR FILING DATE: 2000-12-29  
66 <150> PRIOR APPLICATION NUMBER: 60/269,813  
67 <151> PRIOR FILING DATE: 2001-02-20  
69 <150> PRIOR APPLICATION NUMBER: 60/286,324  
70 <151> PRIOR FILING DATE: 2001-04-25  
72 <150> PRIOR APPLICATION NUMBER: 60/294,108  
73 <151> PRIOR FILING DATE: 2001-05-29  
75 <150> PRIOR APPLICATION NUMBER: 60/303,968  
76 <151> PRIOR FILING DATE: 2001-07-09  
E--> 78 <160> NUMBER OF SEQ ID NOS: 160 166 (P. 3)  
80 <170> SOFTWARE: PatentIn Ver. 2.1



## ERRORED SEQUENCES

09/981,151C 3

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<212> PRT  
<213> Artificial Sequence

<220>  
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<400> 166

Met Ile Leu Phe

1

**IMPORTANT**

Use of n and/or Xaa has been detected in the Sequence Listing.  
Review the Sequence Listing to insure a corresponding  
explanation is presented in the <220> to <223> fields of  
each sequence using n or Xaa.



VERIFICATION SUMMARY

PATENT APPLICATION: US/09/981,151C

DATE: 04/25/2005

TIME: 11:16:55

Input Set : D:\Cura 468 Sequence Listing \Cura 468 SEQ list 0405.txt

Output Set: N:\CRF4\04252005\I981151C.raw

L:117 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 after pos.:840

M:341 Repeated in SeqNo=1

L:222 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:2 after pos.:272

M:341 Repeated in SeqNo=2

L:1977 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:23 after pos.:2160

M:341 Repeated in SeqNo=23

L:3377 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:34 after pos.:448

L:6527 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:65 after pos.:32

L:78 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (160) Counted (166)